IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA DANVILLE DIVISION

OCT 1 7 2011

JULY 1 DUD EY, CLERK
BY:

DEPUTY CLIFFX

UNITED STATES OF AMERICA

Case No. 4:05-cr-00011-1

v.

ORDER

WILLIE JUNIOR MCCAIN, Petitioner.

By: Hon. Jackson L. Kiser

Senior United States District Judge

For the reasons stated in the accompanying Memorandum Opinion, it is hereby

ORDERED

that petitioner's motion to vacate, set aside or correct sentence, pursuant to 28 U.S.C. § 2255, is **DISMISSED without prejudice as successive**, a Certificate of Appealability is **DENIED**, and the case is **STRICKEN** from the active docket.

ENTER: This day of October, 2011.

Serior United States District Judge